

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

TIMOTHY WAYNE CAPERS, SR.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:20-CV-945-WHA-JTA
	)	
THOMAS HUGGHINS, et al.,	)	
	)	
Defendants.	)	

**ORDER**

On December 14, 2020, the Magistrate Judge filed a Recommendation to which no timely objection has been filed. Doc. 6. There being no objection filed to the Recommendation, and after an independent review of the file, the court concludes the Magistrate Judge's Recommendation should be adopted. Accordingly, it is ORDERED that:

1. The Recommendation of the Magistrate Judge (Doc. 6) is ADOPTED.
2. Plaintiff's § 1983 claim against Defendant Zigglar is DISMISSED with prejudice under 28 U.S.C. §1915A(b)(1).

3. Defendant Zigglar is TERMINATED as party to this action prior to service of process.

The Clerk of the Court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure as to Defendant Zigglar.

This case is not closed and is referred to the United States Magistrate Judge for further proceedings regarding Plaintiff's claims against the remaining defendants.

Done, this 12<sup>th</sup> day of January 2021.

/s/ W. Harold Albritton  
W. HAROLD ALBRITTON  
SENIOR UNITED STATES DISTRICT JUDGE